

Colorado Department of Public Health and Environment

OPERATING PERMIT

TRAILBLAZER PIPELINE COMPANY COMPRESSOR STATION 601

RENEWED MARCH 1, 2009 REVISED SEPTEMBER 15, 2011

AIR POLLUTION CONTROL DIVISION COLORADO OPERATING PERMIT

FACILITY NAME: Trailblazer Pipeline OPERATING PERMIT NUMBER

Company Station 601

FACILITY ID: 0750077

ISSUE DATE: March 1, 2009 EXPIRATION DATE: March 1, 2014

MODIFICATIONS: See Appendix F of Permit

Issued in accordance with the provisions of Colorado Air Pollution Prevention and Control Act, 25-7-101 et seq. and applicable rules and regulations.

03OPLO255

ISSUED TO: PLANT SITE LOCATION:

Trailblazer Pipeline Company Trailblazer Pipeline Company Station 601 370 Van Gordon Street NW ¼ NE ¼ Section 29, T12N, R49W

Lakewood, Colorado 80228-8304 Logan County, Colorado

INFORMATION RELIED UPON

Operating Permit Renewal Application Received: July 25, 2007 And Additional Information Received: March 24, 2010

Nature of Business: Natural Gas Transmission

Primary SIC: 4922

RESPONSIBLE OFFICIAL FACILITY CONTACT PERSON

Name: Kevin Philbrick Name: Dawn Meyers
Title: Operations Director Title: Senior Engineer

Phone: (308) 865-6220 Phone: (303) 914-7837

SUBMITTAL DEADLINES

Semi-Annual Monitoring Period: January 1 – June 30 and July 1 – December 31

Semi-Annual Monitoring Report: January 31, 2009 and July 31, 2009 and subsequent years

Annual Compliance Period: January 1 through December 31
Annual Compliance Certification: January 31, 2009 and subsequent years

Note that the Semi-Annual Monitoring Report and the Annual Compliance Certification must be received at the Division office by 5:00 p.m. on the due date. Postmarked dates will not be accepted for the purposes of determining the timely receipt of those reports.

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SECTION I - General Activities and Summary

1. Permitted Activities

1.1 This facility consists of two compressor turbines used to compress natural gas for transmission to sales pipelines and is defined under Standard Industrial Classification 4922. Each turbine is site heat input rated at 107,610,000 BTU per hour.

The facility is located in the Northwest ¼ of the Northeast ¼ of Section 29, Township 12 North, Range 49 West in Logan County. The area in which the plant operates is designated as attainment for all pollutants.

Nebraska is an affected state within 50 miles of the plant. There are no Federal Class I designated areas within 100 kilometers of the plant.

- 1.2 Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air pollutants from this facility in accordance with the requirements, limitations, and conditions of this permit.
- 1.3 This Operating Permit incorporates the applicable requirements contained in the underlying construction permits, and does not affect those applicable requirements, except as modified during review of the application or as modified subsequent to permit issuance using the modification procedures found in Regulation No. 3, Part C. These Part C procedures meet all applicable substantive New Source Review Requirements of Part B. Any revisions made using the provisions of Regulation No. 3, Part C shall become new applicable requirements for purposes of this operating permit and shall survive reissuance. This permit incorporates the applicable requirements (except as noted in Section II) from the following construction permit: 01LO0339.
- 1.4 All conditions in this permit are enforceable by US Environmental Protection Agency, Colorado Air Pollution Control Division (hereinafter Division) and its agents, and citizens unless otherwise specified. **State-only enforceable conditions are:** Permit Condition Number(s): Section II, Conditions 1.2.1 (particulate matter), 1.3.3 (sulfur dioxide) and 1.7.3 (opacity) and Section IV Conditions 3d, 3g (last paragraph), 14, and 18 (as noted)
- 1.5 All information gathered pursuant to the requirements of this permit is subject to the Recordkeeping and Reporting requirements listed under Condition 22 of the General Conditions in Section V of this permit.

2. Routine Turbine Component Replacements (version 8/23/06)

The following physical or operational changes to the turbines in this permit are not considered a modification for purposes of NSPS GG, NSR/PSD, or Regulation No. 3:

1) Replacement of stator blades, turbine nozzles, turbine buckets, fuel nozzles, combustion chambers, seals, and shaft packings, provided that they are of the same design as the original.

- 2) Changes in the type or grade of fuel used, if the original gas turbine installation, fuel nozzles, etc. were designed for its use.
- 3) An increase in the hours of operation (unless limited by a permit condition)
- 4) Variations in operating loads within the engine design specification.
- 5) Any physical change constituting routine maintenance, repair, or replacement.

Turbines undergoing any of the above changes are subject to all federally applicable and state-only requirements set forth in this permit (including monitoring and record keeping), and shall be subject to any shield afforded by this permit. If replacement of any of the components listed in (1) or (5) above results in a change in serial number for the turbine, a letter explaining the action as well as a revised APEN and appropriate filing fee shall be submitted to the Division within 30 days of the replacement.

Note that the repair or replacement of components must be of genuinely the same design. Except in accordance with the Alternate Operating Scenario set forth below, the Division does not consider that this allows for the entire replacement (or reconstruction) of an existing turbine with an identical new one or one similar in design or function. Rather, the Division considers the repair or replacements to encompass the repair or replacement of components at a turbine with the same (or functionally similar) components.

3. Alternative Operating Scenarios (version 8/23/06)

The following Alternative Operating Scenario (AOS) for temporary and permanent combustion turbine replacement and turbine component replacement has been reviewed in accordance with the requirements of Regulation No. 3., Part A, Section IV.A, Operational Flexibility-Alternative Operating Scenarios, and Regulation No. 3, Part B, Construction Permits, and Regulation No. 3, Part D, Major Stationary Source New Source Review and Prevention of Significant Deterioration and has been found to meet all applicable substantive and procedural requirements. This permit incorporates and shall be considered a Construction Permit for any combustion turbine replacement performed in accordance with this AOS, and the permittee shall be allowed to perform such turbine or turbine component replacement without applying for a revision to this permit or obtaining a new Construction Permit.

3.1 Turbine Replacement

The following AOS is incorporated into this permit in order to deal with a turbine breakdown or periodic routine maintenance and repair of an existing onsite turbine that requires the use of a temporary replacement turbine. "Temporary" is defined as in the same service for 90 operating days or less in any 12 month period. The 90 days is the total number of days that the turbine is in operation. If the turbine operates only part of a day, that day counts towards the 90 day total. Note that the compliance demonstrations made as part of this AOS are in addition to any compliance demonstrations required by this permit.

All replacement turbines are subject to all federally applicable and state-only requirements set forth in this permit (including monitoring and record keeping), and shall be subject to any shield afforded by this permit.

Results of all tests and the associated calculations pursuant required by this AOS shall be submitted to the Division within 30 calendar days of the test. Results of all tests shall be kept on site for five (5) years and made available to the Division upon request.

The permittee shall maintain a log on-site to contemporaneously record the start and stop date of any turbine replacement, the manufacturer, model number, horsepower, and serial number of the turbine(s) that are replaced during the term of this permit, and the manufacturer, model number, horsepower, and serial number of the replacement turbine.

Any permanent turbine replacement under this AOS may result in the replacement turbine being considered a new affected facility for purposes of NSPS and shall be subject to all applicable requirements of that Subpart including, but not limited to, any required Performance Testing.

3.1.1 The permittee may temporarily replace an existing permitted turbine provided such replacement turbines are Solar Mars 100-T15000S combustion turbines without modifying this permit, so long as the emissions from the temporary replacement turbine comply with the emission limitations for the existing permitted turbine as determined in Section 3.2. Measurement of emissions from the temporary replacement turbine shall be made as set forth in Section 4.2.

The permittee may temporarily replace a grandfathered turbine or a turbine that is not subject to emission limits without modifying this permit. In this circumstance, potential annual emissions of NO_x and CO from the temporary replacement turbine must be less than or equal to the potential annual emissions of NO_x and CO from the original grandfathered turbine or for the turbine that is not subject to emission limits, as determined by applying appropriate emission factors (e.g. AP-42 or manufacturer's emission factors)

3.1.2 The permittee may permanently replace the existing permitted combustion turbine provided such replacement turbines are Solar Mars 100-T15000S combustion turbines without modifying this permit so long as the emissions from the permanent replacement turbine comply with the emission limitations for the existing permitted turbine as determined in Section 3.2.

An Air Pollutant Emissions Notice (APEN) that includes the specific manufacturer, model, and serial number of the permanent replacement turbine shall be filed with the Division for the permanent replacement turbine within 14 calendar days of commencing operation of the replacement turbine. The APEN shall be accompanied by the appropriate APEN filing fee and a cover letter explaining that the permittee is exercising an alternative operating scenario and is installing a permanent replacement turbine.

This AOS cannot be used for permanent turbine replacement of a grandfathered turbine or a turbine that is not subject to emission limits.

The permittee shall agree to pay fees based on the normal permit processing rate for review of information submitted to the Division in regard to any permanent turbine replacement.

3.2 **Portable Analyzer Testing**

The permittee shall measure nitrogen oxide (NO_x) and carbon monoxide (CO) emissions in the exhaust from the replacement turbine using a portable flue gas analyzer within seven (7) calendar days of commencing operation of the replacement engine.

All portable analyzer testing required by this permit shall be conducted using the Division's Portable Analyzer Monitoring Protocol (ver March 2006 or newer) as found on the Division's website at: http://www.cdphe.state.co.us/ap/down/portanalyzeproto.pdf

Results of the portable analyzer tests shall be used to monitor the compliance status of this unit. For comparison with an annual or short term emission limit, the results of the tests shall be converted to a lb/hr basis and multiplied by the allowable operating hours in the month or year (whichever applies) in order to monitor compliance. If a source is not limited in its hours of operation the test results will be multiplied by the maximum number of hours in the month or year (8760), whichever applies.

If the portable analyzer results indicate compliance with both the NO_X and CO emission limitations, in the absence of credible evidence to the contrary, the source may certify that the turbine is in compliance with both the NO_X and CO emission limitations for the relevant time period.

Subject to the provisions of C.R.S. 25-7-123.1 and in the absence of credible evidence to the contrary, if the portable analyzer results fail to demonstrate compliance with either the NO_X or CO emission limitations, the turbine will be considered to be out of compliance from the date of the portable analyzer test until a portable analyzer test indicates compliance with both the NO_X and CO emission limitations or until the turbine is taken offline.

3.3 Additional Sources

The replacement of an existing turbine with a new turbine is viewed by the Division as the installation of a new emissions unit, not "routine replacement" of an existing unit. The AOS is therefore essentially an advanced construction permit review. The AOS cannot be used for additional new emission points for any site; a turbine that is being installed as an entirely new emission point and not as part of an AOS-approved replacement of an existing onsite turbine must go through the appropriate Construction/Operating permitting process prior to installation.

4. Prevention Of Significant Deterioration (PSD)

Based on the information provided by the applicant, this source is categorized as a minor stationary source for PSD as of the issue date of this permit. Any future modification which is major by itself (Potential to Emit of ≥ 250 TPY) for any pollutant listed in Regulation No. 3, Part D, Section II.A.42 for which the area is in attainment or attainment/maintenance may result in the application of the PSD review requirements

5. Accidental Release Prevention Program (112(r))

5.1 Based on the information provided by the applicant, this facility is not subject to the provisions of the Accidental Release Prevention Program (section 112(r)) of the Federal Clean Air Act.

6. Compliance Assurance Monitoring (CAM)

6.1 The following emission points at this facility use a control device to achieve compliance with an emission limitation or standard to which they are subject and have pre-control emissions that exceed or are equivalent to the major source threshold. They are therefore subject to the provisions of the CAM program as set forth in 40 CFR Part 64, as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV:

None.

7. Summary of Emission Units

7.1 The emissions units regulated by this permit are the following:

Emission Unit Number	AIRS Stack Number	Description	Pollution Control Device
S001A	001	One (1) Solar Model Mars 100-T15000S, Serial No. 0615M – Compressor Turbine No. 1	None
S001B	001	One (1) Solar Model Mars 100-T15000S, Serial No. 1033M – Compressor Turbine No. 2	None
S002	002	One (1) Cummins Model GTA-28 4-Cycle, Lean Burn, Natural Gas Fired Internal Combustion Engine, Site Rated at 770 HP, Serial No. 25273675	Oxidation Catalyst

SECTION II - Specific Permit Terms

1. S001A, S001B - Two (2) Solar Model Mars 100-T15000S Natural Gas Fired Combustion Turbines

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monite Method	oring Interval
PM	1.1	6.22 tons/year	0.0066 lb/mmBTU	Recordkeeping and Calculation	Monthly
	1.2.1	For each turbine: See Condition 1.2.1 For each turbine: See Condition 1.2.1 (state-only)	N/A	Fuel Restriction	Only Natural Gas is Used as Fuel
PM_{10}	1.1	6.22 tons/year	0.0066 lb/mmBtu	Recordkeeping and Calculation	Monthly
SO_2	1.3.1	For each turbine: 150 ppmvd @ 15% O ₂ OR Use of Fuel Which Contains Less than 0.8 Weight % Sulfur	N/A	Fuel Restriction	See Condition 1.3.1
	1.3.3	For each turbine: 0.8 lb/mmBtu (state-only)			Only Natural Gas is Used as
	1.3.2	For each turbine: 0.8 lb/mmBtu, on a 3-hour rolling average			Fuel
	1.1	3.21 tons/year	0.0034 lb/mmBtu	Recordkeeping and Calculation	Monthly
VOC	1.1	33.02 tons/year	3.77 lbs/hour	Recordkeeping and Calculation	Monthly
NO_X	1.1	94.70 tons/yr	10.81 lbs/hour	Recordkeeping and Calculation	Monthly
	1.4	206 ppmvd @ 15% O ₂	N/A	Fuel Restriction	Only Natural Gas is Used as Fuel
СО	1.1	115.32 tons/yr	13.16 lbs/hour	Recordkeeping and Calculation	Monthly
HAPs	1.1	Any Single HAP: 8.0 tons/year Total of all HAPs: 20.0 tons/year	Formaldehyde: 0.00071 lb/mmBtu	Recordkeeping and Calculation	Monthly
NSPS General Provisions	1.5		See Condition 1.5		
Natural Gas Consumption	1.6.1	2,130,600,000 scf/year	N/A	Fuel Meter	Monthly

Operating Permit Number: 03OPLO255 Revised 9/15/11

Parameter	Permit Condition Number	Limitations	Compliance Emission Factor	Monito Method	oring Interval
Heat Content	1.6.2	N/A	N/A	Fuel BTU Analysis	Monthly
Opacity	1.7.1	Not to Exceed 20% Except as Provided for in 1.7.2 and 1.7.3	N/A	Fuel Restriction	Only Natural Gas is Used as
	1.7.2	For Certain Operational Activities – Not to Exceed 30%, for a Period or Periods Aggregating More than Six (6) Minutes in any 60 Consecutive Minutes			Fuel
	1.7.3	Not to Exceed 20% (state-only)			
Hours of Operation	1.8	N/A	N/A	Recordkeeping	Monthly
Turbine Operations and Monitoring	1.9, 1.10	N/A	N/A	Portable Monitoring	Semiannually

1.1 Emission Limits

Emissions of air pollutants shall not exceed the limits listed in the table above. Compliance with the annual limits shall be determined on a rolling (12) month total. By the end of each month a new twelve-month total is calculated based on the previous twelve months' data. (Construction Permit 01LO0339 and Colorado Regulation No. 3, Part B, III.A.4) (PM/PM₁₀ includes condensibles)

The permittee shall calculate emissions using the actual fuel use and hours of operation and the emission factors listed above, and the most recent fuel BTU analysis, and maintain a record of rolling twelve month total emissions on site for Division inspection upon request.

If the results of the portable analyzer testing conducted under the provisions of condition 1.10 below show that either the NO_X or CO emission rates/factors are greater than those listed above, and in the absence of subsequent testing results to the contrary (as approved by the Division), the permittee shall apply for a modification to this permit to reflect, at a minimum, the higher emission rates/factors within 60 days of the completion of the test.

1.2 PM emissions shall not exceed the following limitations:

1.2.1 For fuel burning equipment with designed heat inputs greater than 1×10^6 BTU per hour, but less than or equal to 500×10^6 BTU per hour, the following equation will be used to determine the allowable Emissions from each turbine or each turbine/duct burner combination or each inlet air heater/turbine combination shall not exceed:

For each turbine:

 $PE = 0.5 \times (FI)^{-0.26}$, where: PE = particulate standard in lbs/mmBtu

FI = fuel input in mmBtu/hr

(Colorado Regulation No. 1, III.A.1.b)

In the absence of credible evidence to the contrary, compliance with the particulate matter emission limit is presumed since only natural gas is permitted to be used as fuel in the turbines.

1.2.2 For fuel burning equipment generating greater than one million but less than 250 million BTU per hour heat input, the following equation will be used to determine the allowable particulate emissions limitation from each turbine:

For each turbine:

 $PE = 0.5 \times (FI)^{-0.26}$, where: PE = particulate standard in lbs/mmBtu

FI = fuel input in mmBtu/hr

If two or more units connect to any opening, the maximum allowable emission rate shall be the sum of the individual emission rates.

(Colorado Regulation No. 6, Part B, II.C.2 – **state-only** requirement)

In the absence of credible evidence to the contrary, compliance with the particulate matter emission limit is presumed since only natural gas is permitted to be used as fuel in the turbines.

1.3 Sulfur Dioxide (SO_2) emissions shall not exceed the following limitations:

- 1.3.1 Each turbine is subject to 40 CFR Part 60, Subpart GG Standards of Performance for Stationary Gas Turbines, as adopted by reference in Colorado Regulation No. 6, Part A.
 - 1.3.1.1 No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen and on a dry basis (60.333(a)) **OR**
 - 1.3.1.2 No owner or operator subject to the provisions of this subpart shall burn in any stationary gas turbine any fuel which contains sulfur in excess of 0.8 percent by weight. (60.333(b))

Monitoring of Operations (60.334)

The owner or operator of any stationary gas turbine subject to the provisions of this subpart shall monitor sulfur content of the fuel being fired in the turbine. The frequency of determinations of this value shall be determined and recorded daily.

In lieu of daily monitoring, monitoring may be conducted bimonthly. If six months of bimonthly monitoring data demonstrate compliance with the sulfur limits listed

above, monitoring may be conducted on a quarterly basis. If quarterly data demonstrate compliance with the sulfur limits listed above, monitoring may be conducted on a semiannual basis. Should any semiannual data show an exceedance of the sulfur limits, monitoring shall revert to bimonthly for at least six months, following the sequence set forth above. (March 22, 2002 letter from EPA and August 14, 1987 guidance memorandum)

For the purpose of reports required under 60.7(c), periods of excess emissions that shall be reported are defined as follows: Any daily period during which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 percent. (60.334(c)(2))

Test Methods and Procedures (60.335)

The owner or operator shall determine compliance with the sulfur content standard using the methods set forth in 60.335(d).

In addition, the provisions of 40 CFR Part 60, Subpart A, as set forth in Condition 1.5 of this permit apply.

1.3.2 Sulfur Dioxide (SO₂) emissions **from each turbine** shall not exceed 0.8 lbs SO₂/million BTU of heat input. (Colorado Regulation No. 1, Section VI.B.4.c.(i)). The averaging time for all new source emissions standards for sulfur dioxide shall be three (3) hours, and any three-hour rolling average of emission rates which exceeds these standards is a violation of this regulation. (Colorado Regulation No. 1, VI.B.2)

In the absence of credible evidence to the contrary, compliance with this SO₂ limitation is presumed since only natural gas is permitted to be used as fuel in these turbines.

1.3.3 On and after the date on which the required performance test is completed, no owner or operator subject to the provisions of this regulation may discharge, or cause the discharge into the atmosphere sulfur dioxide in excess of:

0.8 lbs SO₂/million Btu. (Colorado Regulation No. 6, Part B, II.D.3.a – **state-only** requirement)

In addition the provisions of 40 CFR Part 60, Subpart A, apply, as set forth in Condition 1.5 of this permit. (Colorado Regulation No. 6, Part B, I.A) (Note: No stack test is required for this source)

In the absence of credible evidence to the contrary, compliance with this SO₂ limitation is presumed since only natural gas is permitted to be used as fuel in these turbines.

1.4 Emissions of Nitrogen Oxides (NO_X) shall not exceed the following limitations:

Each turbine is subject to 40 CFR Part 60, Subpart GG – Standards of Performance for Stationary Gas Turbines, as adopted by reference in Colorado Regulation No. 6, Part A.

No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain nitrogen oxides in excess of 206.0 ppmv at 15 percent oxygen and on a dry basis. (60.332(a)(1))

Monitoring of Operations (60.334)

The owner or operator of any stationary gas turbine subject to the provisions of this subpart shall monitor nitrogen content of the fuel being fired in the turbine. The frequency of determinations of this value shall be determined and recorded daily. (60.334(a)) In lieu of daily monitoring, nitrogen monitoring is waived for pipeline quality gas. (August 14, 1987 guidance memorandum)

For the purpose of reports required under 60.7(c), periods of excess emissions that shall be reported are defined as follows: any period during which the fuel-bound nitrogen of the fuel is greater than the maximum nitrogen content allowed by the fuel-bound nitrogen allowance used during the performance test required in 60.8. Each report shall include the nitrogen content of the fuel during the period of excess emissions, and the graphs or figures developed under 60.335(a). (60.334(c)(1)

Test Methods and Procedures (60.335)

To compute the nitrogen oxides emissions, the owner or operator shall use analytical methods and procedures that are accurate to within 5 percent and are approved by the Division to determine the nitrogen content of the fuel being fired. (60.335(a))

In addition, the provisions of 40 CFR Part 60, Subpart A, as set forth in Condition 1.5 of this permit apply.

1.5 Regulation No. 6, Part A, Subpart A, General Provisions

This Subpart applies as indicated in the Conditions listed below.

Notification and Recordkeeping

1.5.1 Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. (60.7(b))

Compliance with standards and maintenance requirements

1.5.2 At all times, including periods of startup, shutdown, and malfunction, owners and operators shall to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether

acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. (60.11(d))

Circumvention

1.5.3 No article, machine, equipment or process shall be used to conceal an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gasses discharged to the atmosphere. (60.12)

1.6 Natural Gas Consumption

- 1.6.1 This source shall be limited to a maximum raw material process rate or fuel use rate as listed in the table above and all other activities, operational rates and numbers of equipment as stated in the application. The permittee shall record the consumption of natural gas. The record keeping shall be accomplished on a rolling twelve-month total. Each month a new twelve month rolling total shall be calculated using the previous twelve months data. Records shall be maintained on site for Division inspection upon request. (Construction Permit 01LO0339)
- 1.6.2 The Btu content of the natural gas used to fuel this equipment shall be determined monthly using the appropriate ASTM Methods or equivalent, if approved by the Division in advance. Calculation of annual emissions outlined under Conditions 1.1 shall be based on the most recent Btu analysis. The Btu content shall be based on the lower heating value (LHV) of the fuel. In lieu of monthly sampling and analysis, the Btu content of the gas may be determined based on the monthly average of the supplier's analyses, provided that the analyses were conducted using the appropriate ASTM Methods, or equivalent, if approved by the Division in advance.

1.7 Opacity Limits

1.7.1 Except as provided for in Condition 1.7.2 and 1.7.3 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity. Visible emissions shall be measured by EPA Method 9 (40 CFR, Part 60, Appendix A (July, 1992)) in all subsections of Section II.A of this regulation. (Colorado Regulation No. 1, Section II.A.1).

In the absence of credible evidence to the contrary, compliance with the 20% opacity limit shall be presumed since only natural gas is permitted to be used as fuel for the turbines.

1.7.2 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from the building of a new fire, cleaning of fire boxes, soot blowing, start-up, process modifications, or adjustment or occasional

cleaning of control equipment which is in excess of 30% opacity for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes (Colorado Regulation No. 1, Section II.A.4).

In the absence of credible evidence to the contrary, compliance with the 30% opacity limit shall be presumed since only natural gas is permitted to be used as fuel for the turbines.

1.7.3 No owner or operator may discharge, or cause the discharge into the atmosphere of any particulate matter which is greater than 20% opacity (Colorado Regulation No. 6, Part B, Section II.C.3 – **state-only** requirement).

This opacity standard applies at all times except during periods of startup, shutdown and malfunction (40 CFR Part 60 Subpart A § 60.11(c), as adopted by reference in Colorado Regulation No. 6, Part B, Section I.A). In addition, the provisions of 40 CFR Part 60, Subpart A as set forth in Condition 1.5 of this permit apply. (Colorado Regulation No. 6, Part B, I.A)

In the absence of credible evidence to the contrary, compliance with the 20% opacity requirement is presumed since only natural gas is permitted to be used as fuel for the turbines.

1.8 Hours of Operation

The permittee shall maintain records of the actual hours of operation for each turbine. Records shall be maintained on a monthly basis, for use in calculating monthly emissions for comparison with the emission limits set forth in Condition 1.1.

1.9 Turbine Operation and Maintenance

The turbines shall be operated and maintained in accordance with manufacturer's recommendations at all times, including periods of start-up, shutdown, and malfunction.

1.10 Portable Monitoring (version 6/1/06)

Emission measurements of nitrogen oxides (NO_X) and carbon monoxide (CO) shall be conducted semi-annually using a portable flue gas analyzer. At least one calendar month shall separate the semi-annual tests. Note that if the unit is operated for less than 100 hrs in any semi-annual period, then the portable monitoring requirements do not apply.

All portable analyzer testing required by this permit shall be conducted using the Division's Portable Analyzer Monitoring Protocol (ver March 2006 or newer) as found on the Division's website at: http://www.cdphe.state.co.us/ap/down/portanalyzeproto.pdf

Results of the portable analyzer tests shall be used to monitor the compliance status of this unit. For comparison with an annual or short term emission limit, the results of the tests shall be converted to a lb/hr basis and multiplied by the allowable operating hours in the month or year (whichever applies) in order to monitor compliance. If a source is not limited in its hours of

operation the test results will be multiplied by the maximum number of hours in the month or year (8760), whichever applies.

If the portable analyzer results indicate compliance with both the NO_X and CO emission limitations, in the absence of credible evidence to the contrary, the source may certify that the unit is in compliance with both the NO_X and CO emission limitations for the relevant time period.

Subject to the provisions of C.R.S. 25-7-123.1 and in the absence of credible evidence to the contrary, if the portable analyzer results fail to demonstrate compliance with either the NO_X or CO emission limitations, the unit will be considered to be out of compliance from the date of the portable analyzer test until a portable analyzer test indicates compliance with both the NO_X and CO emission limitations or until the unit is taken offline.

For comparison with the emission rates/factors, the emission rates/factors determined by the portable analyzer tests and approved by the Division shall be converted to the same units as the emission rates/factors in the permit. If the portable analyzer tests shows that either the NO_X or CO emission rates/factors are greater than the relevant ones set forth in the permit, and in the absence of subsequent testing results to the contrary (as approved by the Division), the permittee shall apply for a modification to this permit to reflect, at a minimum, the higher emission rate/factor within 60 days of the completion of the test.

Results of all tests conducted shall be kept on site and made available to the Division upon request.

2. S002 – Emergency Generator, Cummins GTA-28 ICE, 770 HP

	Permit Condition	Limitations	Compliance Emission	Monito	ring
Parameter	Number	Short Term Long Term	Factor	Method	Interval
NOx	2.1.	1.14 tpy	0.847 lb/MMBTU	Recordkeeping &	Monthly
СО		0.05 tpy	0.039 lb/MMBTU	Calculation	
Natural Gas Consumption	2.2.	2,660 MMBTU/yr	N/A	Recordkeeping	Monthly
Opacity	2.3.	less than or equal to 20%	N/A	Fuel Use Restriction	Only Natural Gas is Used as Fuel
Fuel Heating Value	2.4.	N/A	N/A	EPA Approved Methods	Monthly
Hours of Operation	2.5.	N/A	N/A	Recordkeeping	Monthly
Engine and Catalyst Operation and Maintenance	2.6, 2.8	N/A See (See Cond.	2.6, 2.8
NESHAP Subpart ZZZZ	2.7	N/A		See Cone	d. 2.7

2.1 Emission Limits

Nitrogen Oxide and Carbon Monoxide emissions shall not exceed the limitations stated above for this engine (as provided for under the provisions of Section I, Condition 1.3 and Colorado Regulation No. 3, Part B, SectionII.A.6 and Part C, Section X. based on the natural gas consumption listed above as identified in an APEN filed by the source dated 3/21/10). In accordance with Regulation No. 7, Section XVII.E.3, an oxidation catalyst shall be installed on this engine.

- 2.1.1 Monthly emissions of each pollutant shall be calculated for this engine using the listed compliance emission factors (EF) (derived from AP-42 and catalyst control efficiency), monthly natural gas consumption, and the latest BTU gas analysis from Condition 2.4 in the following equation:
 - Lbs/Month = $(EF) \times (Monthly Fuel Use in MMSCF) \times (Heat Content of Fuel in MMBTU/MMSCF)$
- 2.1.2 A twelve month rolling total shall be maintained for this engine to monitor compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data. Emissions shall be calculated by the end of each subsequent month.

2.2 Natural Gas Consumption

Natural gas consumption for this engine shall not exceed the limitations stated above (as provided for under the provisions of Section I, Condition 1.3 and Colorado Regulation No. 3,

Part B, SectionII.A.6 and Part C, Section X. based on the natural gas consumption identified in an APEN filed by the source dated 3/21/10). Natural gas consumption, in MMscf, shall be measured and recorded monthly. A twelve month rolling total of natural gas consumption shall be maintained for demonstration of compliance with the annual limitation. Each month a new twelve month total shall be calculated using the previous twelve months data.

2.2.1 Natural gas consumption shall be converted to MMBTU for comparison to the limitations above. The consumption shall be converted to Btu by multiplying the fuel consumption in MMSCF by the Btu content of the fuel (MMBTU/MMSCF) from the last gas analysis performed under 2.4.

2.3 Opacity

Opacity of emissions from this engine shall not exceed 20% (Colorado Regulation No. 1, Section II.A.1). In the absence of credible evidence to the contrary, compliance with the 20% opacity limit shall be presumed since only natural gas is permitted to be used as fuel for this engine.

2.4 Btu Content

The Btu content of the natural gas used to fuel this engine shall be determined monthly using the appropriate ASTM Methods or equivalent, if approved by the Division in advance. Calculation of annual emissions outlined under Conditions 2.1 shall be based on the most recent Btu analysis. The Btu content shall be based on the lower heating value (LHV) of the fuel. In lieu of monthly sampling and analysis, the Btu content of the gas may be determined based on the monthly average of the supplier's analyses, provided that the analyses were conducted using the appropriate ASTM Methods, or equivalent, if approved by the Division in advance.

2.5 Hours of Operation

The permittee shall maintain records of the actual hours of operation for this engine. Records shall be maintained on a monthly basis, for use in calculating monthly emissions for comparison with the emission limits set forth in Condition 2.1.

2.6 Catalyst Operation and Maintenance

The engine and associated oxidation catalyst shall be operated and maintained in accordance with manufacturer's recommendations at all times, including periods of start-up, shutdown, and malfunction. Engine and catalyst operating parameters shall be monitored as follows:

2.6.1 The catalyst inlet gas temperature shall be monitored and recorded monthly. The inlet temperature shall be within the manufacturer's recommended range. During those months when portable monitoring is scheduled, inlet temperature shall be monitored and recorded during the portable monitoring event. If the temperature is outside of the manufacturer's recommended range, the source shall perform any necessary maintenance or adjustments. Records of the data and any maintenance or adjustments performed shall be maintained for Division inspection upon request.

- 2.6.2 Pressure drop across the catalyst shall be monitored and recorded monthly to assess engine and catalytic oxidizer operating condition. The pressure drop shall be within the manufacturer's recommended range. During those months when portable monitoring is scheduled, catalyst pressure drop shall be monitored and recorded during the portable monitoring event. If the pressure drop is outside of the manufacturer's recommended range, the source shall perform any necessary maintenance or adjustments. Records of the data and any maintenance or adjustments performed shall be maintained for Division inspection upon request.
- 2.6.3 The catalyst outlet NOx and CO concentrations shall be monitored semi-annually. The frequency of monitoring may be reduced to annually if two consecutive measurements demonstrate compliance with the annual limits. If the results of any subsequent annual performance test indicate noncompliance with the annual limits, semiannual monitoring will be resumed. Records of the data shall be maintained for Division inspection upon request.
- 2.6.4 The engine exhaust oxygen content shall be monitored and recorded during each portable monitoring event. Records of the data shall be maintained for Division inspection upon request.

2.7 NESHAP Subpart ZZZZ

This source is subject to the requirements of 40 CFR Part 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, including, but not limited to, the following: **[Federal Only]**

- § 63.6595, which describes a timetable for complying with this subpart.
- § 63.6603, and associated Table 2d, which describe operating requirements for existing stationary RICE located at an area source of HAP emissions.
- § 63.6640, which describes requirements for emergency stationary RICE.

2.8 Portable Monitoring (version 6/1/06)

Emission measurements of nitrogen oxides (NO_X) and carbon monoxide (CO) shall be conducted semi-annually using a portable flue gas analyzer. At least one calendar month shall separate the semi-annual tests. Note that if the unit is operated for less than 100 hrs in any semi-annual period, then the portable monitoring requirements do not apply.

All portable analyzer testing required by this permit shall be conducted using the Division's Portable Analyzer Monitoring Protocol (ver March 2006 or newer) as found on the Division's website at: http://www.cdphe.state.co.us/ap/down/portanalyzeproto.pdf

Results of the portable analyzer tests shall be used to monitor the compliance status of this unit. For comparison with an annual or short term emission limit, the results of the tests shall be

converted to a lb/hr basis and multiplied by the allowable operating hours in the month or year (whichever applies) in order to monitor compliance. If a source is not limited in its hours of operation the test results will be multiplied by the maximum number of hours in the month or year (8760), whichever applies.

If the portable analyzer results indicate compliance with both the NO_X and CO emission limitations, in the absence of credible evidence to the contrary, the source may certify that the unit is in compliance with both the NO_X and CO emission limitations for the relevant time period.

Subject to the provisions of C.R.S. 25-7-123.1 and in the absence of credible evidence to the contrary, if the portable analyzer results fail to demonstrate compliance with either the NO_X or CO emission limitations, the unit will be considered to be out of compliance from the date of the portable analyzer test until a portable analyzer test indicates compliance with both the NO_X and CO emission limitations or until the unit is taken offline.

For comparison with the emission rates/factors, the emission rates/factors determined by the portable analyzer tests and approved by the Division shall be converted to the same units as the emission rates/factors in the permit. If the portable analyzer tests shows that either the NO_X or CO emission rates/factors are greater than the relevant ones set forth in the permit, and in the absence of subsequent testing results to the contrary (as approved by the Division), the permittee shall apply for a modification to this permit to reflect, at a minimum, the higher emission rate/factor within 60 days of the completion of the test.

Results of all tests conducted shall be kept on site and made available to the Division upon request.

SECTION III - Permit Shield

Regulation No. 3, 5 CCR 1001-5, Part C, §§ I.A.4, V.D. & XIII.B; § 25-7-114.4(3)(a), C.R.S.

1. Specific Non-Applicable Requirements

Based upon the information available to the Division and supplied by the applicant, the following parameters and requirements have been specifically identified as non-applicable to the facility to which this permit has been issued. This shield does not protect the source from any violations that occurred prior to or at the time of permit issuance. In addition, this shield does not protect the source from any violations that occur as a result of any modification or reconstruction on which construction commenced prior to permit issuance. The following parameters and requirements have been specifically identified as non-applicable to the facility to which this permit has been issued:

Emission Unit Description & Number	Applicable Requirement	Justification
Turbines/Equipment Leaks	40 CFR Part 60, Subpart KKK, as adopted by reference in Colorado Regulation No. 6, Part A	The turbines are not located at an on-shore natural gas liquids extraction plant. There is no natural gas liquid extraction unit located at the facility
Storage Tanks	40 CFR Part 60, Subpart K, as adopted by reference in Colorado Regulation No. 6, Part A	No petroleum liquids are stored on site.
	40 CFR Part 60, Subpart Ka, as adopted by reference in Colorado Regulation No. 6, Part A	All tanks have design capacities less than applicable thresholds.
	40 CFR Part 60, Subpart Kb, as adopted by reference in Colorado Regulation No. 6, Part A	All tanks have design capacities less than applicable thresholds.

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Emission Unit Description & Number	Applicable Requirement	Justification
Facility	40 CFR Part 63, Subpart B, as adopted by reference in Colorado Regulation No. 8, Part E	This facility is not a major source of HAPs.
	40 CFR Part 63, Subparts HH and HHH, as adopted by reference in Colorado Regulation No. 8, Part E	This facility is not a major source of HAPs. No dehydration units, condensate storage tanks with flashing potential or ancillary equipment in VHAP service exist at the facility.
	40 CFR Part 64, and Colorado Regulation No. 3, Part C, XIV	No equipment currently operates at the facility with an emission control device.
	40 CFR Part 68 (Accidental Release Provisions)	No listed constituents are stored, produced at or processed at the facility above threshold quantities.

2. General Conditions

Compliance with this Operating Permit shall be deemed compliance with all applicable requirements specifically identified in the permit and other requirements specifically identified in the permit as not applicable to the source. This permit shield shall not alter or affect the following:

- 2.1 The provisions of §§ 25-7-112 and 25-7-113, C.R.S., or § 303 of the federal act, concerning enforcement in cases of emergency;
- 2.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- 2.3 The applicable requirements of the federal Acid Rain Program, consistent with § 408(a) of the federal act;
- 2.4 The ability of the Air Pollution Control Division to obtain information from a source pursuant to § 25-7-111(2)(I), C.R.S., or the ability of the Administrator to obtain information pursuant to § 114 of the federal act;

- 2.5 The ability of the Air Pollution Control Division to reopen the Operating Permit for cause pursuant to Regulation No. 3, Part C, § XIII.
- 2.6 Sources are not shielded from terms and conditions that become applicable to the source subsequent to permit issuance.

3. Streamlined Conditions

The following applicable requirements have been subsumed within this operating permit using the pertinent streamlining procedures approved by the U.S. EPA. For purposes of the permit shield, compliance with the listed permit conditions will also serve as a compliance demonstration for purposes of the associated subsumed requirements.

No conditions have been streamlined.

SECTION IV - General Permit Conditions

Ver 7/21/09

1. Administrative Changes

Regulation No. 3, 5 CCR 1001-5, Part A, § III.

The permittee shall submit an application for an administrative permit amendment to the Division for those permit changes that are described in Regulation No. 3, Part A, § I.B.36.a. The permittee may immediately make the change upon submission of the application to the Division.

2. Certification Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.9., V.C.16.a.& e. and V.C.17.

- a. Any application, report, document and compliance certification submitted to the Air Pollution Control Division pursuant to Regulation No. 3 or the Operating Permit shall contain a certification by a responsible official of the truth, accuracy and completeness of such form, report or certification stating that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
- b. All compliance certifications for terms and conditions in the Operating Permit shall be submitted to the Air Pollution Control Division at least annually unless a more frequent period is specified in the applicable requirement or by the Division in the Operating Permit.
- c. Compliance certifications shall contain:
 - (i) the identification of each permit term and condition that is the basis of the certification;
 - (ii) the compliance status of the source;
 - (iii) whether compliance was continuous or intermittent;
 - (iv) method(s) used for determining the compliance status of the source, currently and over the reporting period; and
 - such other facts as the Air Pollution Control Division may require to determine the compliance status of the source.
- d. All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.
- e. If the permittee is required to develop and register a risk management plan pursuant to § 112(r) of the federal act, the permittee shall certify its compliance with that requirement; the Operating Permit shall not incorporate the contents of the risk management plan as a permit term or condition.

3. Common Provisions

Common Provisions Regulation, 5 CCR 1001-2 §§ II.A., II.B., II.C., II, E., II.F., II.I, and II.J

a. To Control Emissions Leaving Colorado

When emissions generated from sources in Colorado cross the State boundary line, such emissions shall not cause the air quality standards of the receiving State to be exceeded, provided reciprocal action is taken by the receiving State.

b. Emission Monitoring Requirements

The Division may require owners or operators of stationary air pollution sources to install, maintain, and use instrumentation to monitor and record emission data as a basis for periodic reports to the Division.

c. Performance Testing

The owner or operator of any air pollution source shall, upon request of the Division, conduct performance test(s) and furnish the Division a written report of the results of such test(s) in order to determine compliance with applicable emission control regulations. Performance test(s) shall be conducted and the data reduced in accordance with the applicable reference test methods unless the Division:

- (i) specifies or approves, in specific cases, the use of a test method with minor changes in methodology;
- (ii) approves the use of an equivalent method;
- (iii) approves the use of an alternative method the results of which the Division has determined to be adequate for indicating where a specific source is in compliance; or
- (iv) waives the requirement for performance test(s) because the owner or operator of a source has demonstrated by other means to the Division's satisfaction that the affected facility is in compliance with the standard. Nothing in this paragraph shall be construed to abrogate the Commission's or Division's authority to require testing under the Colorado Revised Statutes, Title 25, Article 7 1973, and pursuant to regulations promulgated by the Commission.

Compliance test(s) shall be conducted under such conditions as the Division shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Division such records as may be necessary to determine the conditions of the performance test(s). Operations during period of startup, shutdown, and malfunction shall not constitute representative conditions of performance test(s) unless otherwise specified in the applicable standard.

The owner or operator of an affected facility shall provide the Division thirty days prior notice of the performance test to afford the Division the opportunity to have an observer present. The Division may waive the thirty day notice requirement provided that arrangements satisfactory to the Division are made for earlier testing.

The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

- (i) Sampling ports adequate for test methods applicable to such facility,
- (ii) Safe sampling platform(s),
- (iii) Safe access to sampling platform(s).
- (iv) Utilities for sampling and testing equipment.

Each performance test shall consist of at least three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard the arithmetic mean of results of at least three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other

circumstances beyond the owner or operator's control, compliance may, upon the Division's approval, be determined using the arithmetic mean of the results of the two other runs.

Nothing in this section shall abrogate the Division's authority to conduct its own performance test(s) if so warranted.

d. Affirmative Defense Provision for Excess Emissions during Malfunctions

Note that until such time as the U.S. EPA approves this provision into the Colorado State Implementation Plan (SIP), it shall be enforceable only by the State.

An affirmative defense to a claim of violation under these regulations is provided to owners and operators for civil penalty actions for excess emissions during periods of malfunction. To establish the affirmative defense and to be relieved of a civil penalty in any action to enforce an applicable requirement, the owner or operator of the facility must meet the notification requirements below in a timely manner and prove by a preponderance of evidence that:

- (i) The excess emissions were caused by a sudden, unavoidable breakdown of equipment, or a sudden, unavoidable failure of a process to operate in the normal or usual manner, beyond the reasonable control of the owner or operator;
- (ii) The excess emissions did not stem from any activity or event that could have reasonably been foreseen and avoided, or planned for, and could not have been avoided by better operation and maintenance practices;
- (iii) Repairs were made as expeditiously as possible when the applicable emission limitations were being exceeded;
- (iv) The amount and duration of the excess emissions (including any bypass) were minimized to the maximum extent practicable during periods of such emissions;
- (v) All reasonably possible steps were taken to minimize the impact of the excess emissions on ambient air quality;
- (vi) All emissions monitoring systems were kept in operation (if at all possible);
- (vii) The owner or operator's actions during the period of excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence;
- (viii) The excess emissions were not part of a recurring pattern indicative of inadequate design, operation, or maintenance;
- (ix) At all times, the facility was operated in a manner consistent with good practices for minimizing emissions. This section is intended solely to be a factor in determining whether an affirmative defense is available to an owner or operator, and shall not constitute an additional applicable requirement; and
- (x) During the period of excess emissions, there were no exceedances of the relevant ambient air quality standards established in the Commissions' Regulations that could be attributed to the emitting source.

The owner or operator of the facility experiencing excess emissions during a malfunction shall notify the division verbally as soon as possible, but no later than noon of the Division's next working day, and shall submit written notification following the initial occurrence of the excess emissions by the end of the source's next reporting period. The notification shall address the criteria set forth above.

The Affirmative Defense Provision contained in this section shall not be available to claims for injunctive relief.

The Affirmative Defense Provision does not apply to failures to meet federally promulgated performance standards or emission limits, including, but not limited to, new source performance standards and national emission standards for hazardous air pollutants. The affirmative defense provision does not apply to state implementation plan (sip) limits or permit limits that have been set taking into account potential emissions during malfunctions, including, but not necessarily limited to, certain limits with 30-day or longer averaging times, limits that indicate they apply during malfunctions, and limits that indicate they apply at all times or without exception.

e. Circumvention Clause

A person shall not build, erect, install, or use any article, machine, equipment, condition, or any contrivance, the use of which, without resulting in a reduction in the total release of air pollutants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of this regulation. No person shall circumvent this regulation by using more openings than is considered normal practice by the industry or activity in question.

f. Compliance Certifications

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in the Colorado State Implementation Plan, nothing in the Colorado State Implementation Plan shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. Evidence that has the effect of making any relevant standard or permit term more stringent shall not be credible for proving a violation of the standard or permit term.

When compliance or non-compliance is demonstrated by a test or procedure provided by permit or other applicable requirement, the owner or operator shall be presumed to be in compliance or non-compliance unless other relevant credible evidence overcomes that presumption.

g. Affirmative Defense Provision for Excess Emissions During Startup and Shutdown

An affirmative defense is provided to owners and operators for civil penalty actions for excess emissions during periods of startup and shutdown. To establish the affirmative defense and to be relieved of a civil penalty in any action to enforce an applicable requirement, the owner or operator of the facility must meet the notification requirements below in a timely manner and prove by a preponderance of the evidence that:

- (i) The periods of excess emissions that occurred during startup and shutdown were short and infrequent and could not have been prevented through careful planning and design;
- (ii) The excess emissions were not part of a recurring pattern indicative of inadequate design, operation or maintenance;
- (iii) If the excess emissions were caused by a bypass (an intentional diversion of control equipment), then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (iv) The frequency and duration of operation in startup and shutdown periods were minimized to the maximum extent practicable;
- (v) All possible steps were taken to minimize the impact of excess emissions on ambient air quality;
- (vi) All emissions monitoring systems were kept in operation (if at all possible);
- (vii) The owner or operator's actions during the period of excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence; and,

(viii) At all times, the facility was operated in a manner consistent with good practices for minimizing emissions. This subparagraph is intended solely to be a factor in determining whether an affirmative defense is available to an owner or operator, and shall not constitute an additional applicable requirement.

The owner or operator of the facility experiencing excess emissions during startup and shutdown shall notify the Division verbally as soon as possible, but no later than two (2) hours after the start of the next working day, and shall submit written quarterly notification following the initial occurrence of the excess emissions. The notification shall address the criteria set forth above.

The Affirmative Defense Provision contained in this section shall not be available to claims for injunctive relief.

The Affirmative Defense Provision does not apply to State Implementation Plan provisions or other requirements that derive from new source performance standards (NSPS) or national emissions standards for hazardous air pollutants (NESHAPS), any other federally enforceable performance standard or emission limit with an averaging time greater than twenty-four hours. In addition, an affirmative defense cannot be used by a single source or small group of sources where the excess emissions have the potential to cause an exceedance of the ambient air quality standards or Prevention of Significant Deterioration (PSD) increments.

In making any determination whether a source established an affirmative defense, the Division shall consider the information within the notification required above and any other information the Division deems necessary, which may include, but is not limited to, physical inspection of the facility and review of documentation pertaining to the maintenance and operation of process and air pollution control equipment

4. Compliance Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.C.9., V.C.11. & 16.d., and § 25-7-122.1(2), C.R.S.

- a. The permittee must comply with all conditions of the Operating Permit. Any permit noncompliance relating to federally-enforceable terms or conditions constitutes a violation of the federal act, as well as the state act and Regulation No. 3. Any permit noncompliance relating to state-only terms or conditions constitutes a violation of the state act and Regulation No. 3, shall be enforceable pursuant to state law, and shall not be enforceable by citizens under § 304 of the federal act. Any such violation of the federal act, the state act or regulations implementing either statute is grounds for enforcement action, for permit termination, revocation and reissuance or modification or for denial of a permit renewal application.
- b. It shall not be a defense for a permittee in an enforcement action or a consideration in favor of a permittee in a permit termination, revocation or modification action or action denying a permit renewal application that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- c. The permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of any request by the permittee for a permit modification, revocation and reissuance, or termination, or any notification of planned changes or anticipated noncompliance does not stay any permit condition, except as provided in §§ X. and XI. of Regulation No. 3, Part C.
- d. The permittee shall furnish to the Air Pollution Control Division, within a reasonable time as specified by the Division, any information that the Division may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Division copies of records required to be kept by the permittee, including information claimed to be confidential. Any information subject to a claim of confidentiality shall be specifically identified and submitted separately from information not subject to the claim.
- e. Any schedule for compliance for applicable requirements with which the source is not in compliance at the time of permit issuance shall be supplemental, and shall not sanction noncompliance with, the applicable requirements on which it is based.

- f. For any compliance schedule for applicable requirements with which the source is not in compliance at the time of permit issuance, the permittee shall submit, at least every 6 months unless a more frequent period is specified in the applicable requirement or by the Air Pollution Control Division, progress reports which contain the following:
 - (i) dates for achieving the activities, milestones, or compliance required in the schedule for compliance, and dates when such activities, milestones, or compliance were achieved; and
 - (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.
- g. The permittee shall not knowingly falsify, tamper with, or render inaccurate any monitoring device or method required to be maintained or followed under the terms and conditions of the Operating Permit.

5. Emergency Provisions

Regulation No. 3, 5 CCR 1001-5, Part C, § VII.

An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed the technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. "Emergency" does not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. An emergency constitutes an affirmative defense to an enforcement action brought for noncompliance with a technology-based emission limitation if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. an emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. the permitted facility was at the time being properly operated;
- c. during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- d. the permittee submitted oral notice of the emergency to the Air Pollution Control Division no later than noon of the next working day following the emergency, and followed by written notice within one month of the time when emissions limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

This emergency provision is in addition to any emergency or upset provision contained in any applicable requirement.

6. Emission Controls for Asbestos

Regulation No. 8, 5 CCR 1001-10, Part B

The permittee shall not conduct any asbestos abatement activities except in accordance with the provisions of Regulation No. 8, Part B, "asbestos control."

7. Emissions Trading, Marketable Permits, Economic Incentives

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.13.

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are specifically provided for in the permit.

8. Fee Payment

C.R.S. §§ 25-7-114.1(6) and 25-7-114.7

- a. The permittee shall pay an annual emissions fee in accordance with the provisions of § 25-7-114.7. A 1% per month late payment fee shall be assessed against any invoice amounts not paid in full on the 91st day after the date of invoice, unless a permittee has filed a timely protest to the invoice amount.
- b. The permittee shall pay a permit processing fee in accordance with the provisions of § 25-7-114.7. If the Division estimates that processing of the permit will take more than 30 hours, it will notify the permittee of its estimate of what the actual charges may be prior to commencing any work exceeding the 30 hour limit.
- c. The permittee shall pay an APEN fee in accordance with the provisions of § 25-7-114.1(6) for each APEN or revised APEN filed.

9. Fugitive Particulate Emissions

Regulation No. 1, 5 CCR 1001-3, § III.D.1.

The permittee shall employ such control measures and operating procedures as are necessary to minimize fugitive particulate emissions into the atmosphere, in accordance with the provisions of Regulation No. 1, § III.D.1.

10. Inspection and Entry

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.16.b.

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Air Pollution Control Division, or any authorized representative, to perform the following:

- a. enter upon the permittee's premises where an Operating Permit source is located, or emissions-related activity is conducted, or where records must be kept under the terms of the permit;
- b. have access to, and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- c. inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the Operating Permit;
- d. sample or monitor at reasonable times, for the purposes of assuring compliance with the Operating Permit or applicable requirements, any substances or parameters.

11. Minor Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, §§ X. & XI.

The permittee shall submit an application for a minor permit modification before making the change requested in the application. The permit shield shall not extend to minor permit modifications.

12. New Source Review

Regulation No. 3, 5 CCR 1001-5, Part B

The permittee shall not commence construction or modification of a source required to be reviewed under the New Source Review provisions of Regulation No. 3, Part B, without first receiving a construction permit.

13. No Property Rights Conveyed

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.11.d.

This permit does not convey any property rights of any sort, or any exclusive privilege.

14. Odor

Regulation No. 2, 5 CCR 1001-4, Part A

As a matter of state law only, the permittee shall comply with the provisions of Regulation No. 2 concerning odorous emissions.

15. Off-Permit Changes to the Source

Regulation No. 3, 5 CCR 1001-5, Part C, § XII.B.

The permittee shall record any off-permit change to the source that causes the emissions of a regulated pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from the change, including any other data necessary to show compliance with applicable ambient air quality standards. The permittee shall provide contemporaneous notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit . The permit shield shall not apply to any off-permit change.

16. Opacity

Regulation No. 1, 5 CCR 1001-3, §§ I., II.

The permittee shall comply with the opacity emissions limitation set forth in Regulation No. 1, §§ I.-II.

17. Open Burning

Regulation No. 9, 5 CCR 1001-11

The permittee shall obtain a permit from the Division for any regulated open burning activities in accordance with provisions of Regulation No. 9.

18. Ozone Depleting Compounds

Regulation No. 15, 5 CCR 1001-17

The permittee shall comply with the provisions of Regulation No. 15 concerning emissions of ozone depleting compounds. Sections I., II.C., II.D., III. IV., and V. of Regulation No. 15 shall be enforced as a matter of state law only.

19. Permit Expiration and Renewal

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.6., IV.C., V.C.2.

- a. The permit term shall be five (5) years. The permit shall expire at the end of its term. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted.
- b. Applications for renewal shall be submitted at least twelve months, but not more than 18 months, prior to the expiration of the Operating Permit. An application for permit renewal may address only those portions of the permit that require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. A copy of any materials incorporated by reference must be included with the application.

20. Portable Sources

Regulation No. 3, 5 CCR 1001-5, Part C, § II.D.

Portable Source permittees shall notify the Air Pollution Control Division at least 10 days in advance of each change in location.

21. Prompt Deviation Reporting

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.7.b.

The permittee shall promptly report any deviation from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken.

"Prompt" is defined as follows:

- a. Any definition of "prompt" or a specific timeframe for reporting deviations provided in an underlying applicable requirement as identified in this permit; or
- b. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:
 - (i) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report shall be made within 24 hours of the occurrence;
 - (ii) For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continue for more than two hours in excess of permit requirements, the report shall be made within 48 hours; and
 - (iii) For all other deviations from permit requirements, the report shall be submitted every six (6) months, except as otherwise specified by the Division in the permit in accordance with paragraph 22.d. below.
- c. If any of the conditions in paragraphs b.i or b.ii above are met, the source shall notify the Division by telephone (303-692-3155) or facsimile (303-782-0278) based on the timetables listed above. [Explanatory note: Notification by telephone or facsimile must specify that this notification is a deviation report for an Operating Permit.] A written notice, certified consistent with General Condition 2.a. above (Certification Requirements), shall be submitted within 10 working days of the occurrence. All deviations reported under this section shall also be identified in the 6-month report required above.

"Prompt reporting" does not constitute an exception to the requirements of "Emergency Provisions" for the purpose of avoiding enforcement actions.

22. Record Keeping and Reporting Requirements

Regulation No. 3, 5 CCR 1001-5, Part A, § II.; Part C, §§ V.C.6., V.C.7.

- a. Unless otherwise provided in the source specific conditions of this Operating Permit, the permittee shall maintain compliance monitoring records that include the following information:
 - (i) date, place as defined in the Operating Permit, and time of sampling or measurements;
 - (ii) date(s) on which analyses were performed;

- (iii) the company or entity that performed the analysis;
- (iv) the analytical techniques or methods used;
- (v) the results of such analysis; and
- (vi) the operating conditions at the time of sampling or measurement.
- b. The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report or application. Support information, for this purpose, includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Operating Permit. With prior approval of the Air Pollution Control Division, the permittee may maintain any of the above records in a computerized form.
- c. Permittees must retain records of all required monitoring data and support information for the most recent twelve (12) month period, as well as compliance certifications for the past five (5) years on-site at all times. A permittee shall make available for the Air Pollution Control Division's review all other records of required monitoring data and support information required to be retained by the permittee upon 48 hours advance notice by the Division.
- d. The permittee shall submit to the Air Pollution Control Division all reports of any required monitoring at least every six (6) months, unless an applicable requirement, the compliance assurance monitoring rule, or the Division requires submission on a more frequent basis. All instances of deviations from any permit requirements must be clearly identified in such reports.
- e. The permittee shall file an Air Pollutant Emissions Notice ("APEN") prior to constructing, modifying, or altering any facility, process, activity which constitutes a stationary source from which air pollutants are or are to be emitted, unless such source is exempt from the APEN filing requirements of Regulation No. 3, Part A, § II.D. A revised APEN shall be filed annually whenever a significant change in emissions, as defined in Regulation No. 3, Part A, § II.C.2., occurs; whenever there is a change in owner or operator of any facility, process, or activity; whenever new control equipment is installed; whenever a different type of control equipment replaces an existing type of control equipment; whenever a permit limitation must be modified; or before the APEN expires. An APEN is valid for a period of five years. The five-year period recommences when a revised APEN is received by the Air Pollution Control Division. Revised APENs shall be submitted no later than 30 days before the five-year term expires. Permittees submitting revised APENs to inform the Division of a change in actual emission rates must do so by April 30 of the following year. Where a permit revision is required, the revised APEN must be filed along with a request for permit revision. APENs for changes in control equipment must be submitted before the change occurs. Annual fees are based on the most recent APEN on file with the Division.

23. Reopenings for Cause

Regulation No. 3, 5 CCR 1001-5, Part C, § XIII.

- a. The Air Pollution Control Division shall reopen, revise, and reissue Operating Permits; permit reopenings and reissuance shall be processed using the procedures set forth in Regulation No. 3, Part C, § III., except that proceedings to reopen and reissue permits affect only those parts of the permit for which cause to reopen exists.
- b. The Division shall reopen a permit whenever additional applicable requirements become applicable to a major source with a remaining permit term of three or more years, unless the effective date of the requirements is later than the date on which the permit expires, or unless a general permit is obtained to address the new requirements; whenever additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program; whenever the Division determines the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or whenever the Division determines that the permit must be revised or revoked to assure compliance with an applicable requirement.

- c. The Division shall provide 30 days' advance notice to the permittee of its intent to reopen the permit, except that a shorter notice may be provided in the case of an emergency.
- d. The permit shield shall extend to those parts of the permit that have been changed pursuant to the reopening and reissuance procedure.

24. Section 502(b)(10) Changes

Regulation No. 3, 5 CCR 1001-5, Part C, § XII.A.

The permittee shall provide a minimum 7-day advance notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit. The permittee shall attach a copy of each such notice given to its Operating Permit.

25. Severability Clause

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.10.

In the event of a challenge to any portion of the permit, all emissions limits, specific and general conditions, monitoring, record keeping and reporting requirements of the permit, except those being challenged, remain valid and enforceable.

26. Significant Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, § III.B.2.

The permittee shall not make a significant modification required to be reviewed under Regulation No. 3, Part B ("Construction Permit" requirements) without first receiving a construction permit. The permittee shall submit a complete Operating Permit application or application for an Operating Permit revision for any new or modified source within twelve months of commencing operation, to the address listed in Item 1 in Appendix D of this permit. If the permittee chooses to use the "Combined Construction/Operating Permit" application procedures of Regulation No. 3, Part C, then the Operating Permit must be received prior to commencing construction of the new or modified source.

27. Special Provisions Concerning the Acid Rain Program

Regulation No. 3, 5 CCR 1001-5, Part C, §§ V.C.1.b. & 8

- a. Where an applicable requirement of the federal act is more stringent than an applicable requirement of regulations promulgated under Title IV of the federal act, 40 Code of Federal Regulations (CFR) Part 72, both provisions shall be incorporated into the permit and shall be federally enforceable.
- b. Emissions exceeding any allowances that the source lawfully holds under Title IV of the federal act or the regulations promulgated thereunder, 40 CFR Part 72, are expressly prohibited.

28. Transfer or Assignment of Ownership

Regulation No. 3, 5 CCR 1001-5, Part C, § II.C.

No transfer or assignment of ownership of the Operating Permit source will be effective unless the prospective owner or operator applies to the Air Pollution Control Division on Division-supplied Administrative Permit Amendment forms, for reissuance of the existing Operating Permit. No administrative permit shall be complete until a written agreement containing a specific date for transfer of permit, responsibility, coverage, and liability between the permittee and the prospective owner or operator has been submitted to the Division.

29. Volatile Organic Compounds

Regulation No. 7, 5 CCR 1001-9, §§ III & V.

a. For sources located in an ozone non-attainment area or the Denver Metro Attainment Maintenance Area, all storage tank gauging devices, anti-rotation devices, accesses, seals, hatches, roof drainage systems, support structures, and pressure relief valves shall be maintained and operated to prevent detectable vapor loss except when opened, actuated, or used for necessary and proper activities (e.g. maintenance). Such opening, actuation, or use shall be limited so as to minimize vapor loss.

Detectable vapor loss shall be determined visually, by touch, by presence of odor, or using a portable hydrocarbon analyzer. When an analyzer is used, detectable vapor loss means a VOC concentration exceeding 10,000 ppm. Testing shall be conducted as in Regulation No. 7, Section VIII.C.3.

Except when otherwise provided by Regulation No. 7, all volatile organic compounds, excluding petroleum liquids, transferred to any tank, container, or vehicle compartment with a capacity exceeding 212 liters (56 gallons), shall be transferred using submerged or bottom filling equipment. For top loading, the fill tube shall reach within six inches of the bottom of the tank compartment. For bottom-fill operations, the inlet shall be flush with the tank bottom.

- b. The permittee shall not dispose of volatile organic compounds by evaporation or spillage unless Reasonably Available Control Technology (RACT) is utilized.
- c. No owner or operator of a bulk gasoline terminal, bulk gasoline plant, or gasoline dispensing facility as defined in Colorado Regulation No. 7, Section VI, shall permit gasoline to be intentionally spilled, discarded in sewers, stored in open containers, or disposed of in any other manner that would result in evaporation.

30. Wood Stoves and Wood burning Appliances

Regulation No. 4, 5 CCR 1001-6

The permittee shall comply with the provisions of Regulation No. 4 concerning the advertisement, sale, installation, and use of wood stoves and wood burning appliances.

OPERATING PERMIT APPENDICES

- A INSPECTION INFORMATION
- **B-MONITORING AND PERMIT DEVIATION REPORT**
- C COMPLIANCE CERTIFICATION REPORT
- **D-NOTIFICATION ADDRESSES**
- **E PERMIT ACRONYMS**
- F PERMIT MODIFICATIONS

*DISCLAIMER:

None of the information found in these Appendices shall be considered to be State or Federally enforceable, except as otherwise provided in the permit, and is presented to assist the source, permitting authority, inspectors, and citizens.

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APPENDIX A - Inspection Information

Directions to Plant

The facility is located in the Northwest ¼ of the Northeast ¼ of Section 29, Township 12 North, Range 49 West in Logan County. From Sterling take Highway 138 to Highway 113. Go North on Highway 113 past Peetz, Colorado approximately 2 miles to Co. Rd. 78. Go east (right) on Co. Rd. 78 approximately 13.5 miles to Station 601.

Safety Equipment Required

Hard Hat, Safety Shoes, Hearing Protection, Eye Protection, and Flame Retardant Clothing

Facility Plot Plan

Figure 1 (following page) shows the plot plan as submitted on February 13, 2003 with the source's Title V Operating Permit Application.

List of Insignificant Activities

The following list of insignificant activities was provided by the source. Since there is no requirement to update such a list, activities may have changed since the last filing.

Each individual piece of fuel burning equipment, other than smokehouse generators and internal combustion engines, which uses gaseous fuel, and which has a design rate less than or equal to 5 million Btu per hour. (See definition of fuel burning equipment, Common Provisions Regulation)

Crude oil storage tanks with a capacity of 40,000 gallons or less.

Air pollution emission units, operations or activities with emissions less than the appropriate de minimis reporting level.

Specific Insignificant activities and/or sources of emissions as identified in the application:

250,000 BTU/hr fuel gas heater (Regulation No. 3, Part C, II.E.3.k)

3,780 gallon condensate tank, VOC emissions <2 tpy (Regulation No. 3, Part C, II.E.3.a and Part C, II.E.3.ggg)

1,680 gallon waste water tank, VOC emissions <2tpy (Regulation No. 3, Part C, II.E.3.a and Part C, II.E.3.ggg)

600 hp Emergency Generator (Regulation No. 3, Part C, II.E.3.nnn(ii))

- (8) 60,000 BTU/hr catalytic heaters (Regulation No. 3, Part C, II.E.3k)
- (2) 16,000 BTU/hr catalytic heater (Regulation No. 3, Part C, II.E.3.k)
- (1) 500 gallon diesel storage tank

APPENDIX B - Reporting Requirements and Definitions

with codes ver 2/20/07

Please note that, pursuant to 113(c)(2) of the federal Clean Air Act, any person who knowingly:

- (A) makes any false material statement, representation, or certification in, or omits material information from, or knowingly alters, conceals, or fails to file or maintain any notice, application, record, report, plan, or other document required pursuant to the Act to be either filed or maintained (whether with respect to the requirements imposed by the Administrator or by a State);
- (B) fails to notify or report as required under the Act; or
- (C) falsifies, tampers with, renders inaccurate, or fails to install any monitoring device or method required to be maintained or followed under the Act shall, upon conviction, be punished by a fine pursuant to title 18 of the United States Code, or by imprisonment for not more than 2 years, or both. If a conviction of any person under this paragraph is for a violation committed after a first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to both the fine and imprisonment.

The permittee must comply with all conditions of this operating permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

The Part 70 Operating Permit program requires three types of reports to be filed for all permits. All required reports must be certified by a responsible official.

Report #1: Monitoring Deviation Report (due at least every six months)

For purposes of this operating permit, the Division is requiring that the monitoring reports are due every six months unless otherwise noted in the permit. All instances of deviations from permit monitoring requirements must be clearly identified in such reports.

For purposes of this operating permit, monitoring means any condition determined by observation, by data from any monitoring protocol, or by any other monitoring which is required by the permit as well as the recordkeeping associated with that monitoring. This would include, for example, fuel use or process rate monitoring, fuel analyses, and operational or control device parameter monitoring.

Report #2: Permit Deviation Report (must be reported "promptly")

In addition to the monitoring requirements set forth in the permits as discussed above, each and every requirement of the permit is subject to deviation reporting. The reports must address deviations from permit requirements, including those attributable to malfunctions as defined in this Appendix, the probable cause of such deviations, and any corrective actions or preventive measures taken. All deviations from any term or condition of the permit are required to be summarized or referenced in the annual compliance certification.

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For purposes of this operating permit, "malfunction" shall refer to both emergency conditions and malfunctions. Additional discussion on these conditions is provided later in this Appendix.

For purposes of this operating permit, the Division is requiring that the permit deviation reports are due as set forth in General Condition 21. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. For example, quarterly Excess Emission Reports required by an NSPS or Regulation No. 1, Section IV.

In addition to the monitoring deviations discussed above, included in the meaning of deviation for the purposes of this operating permit are any of the following:

- (1) A situation where emissions exceed an emission limitation or standard contained in the permit;
- (2) A situation where process or control device parameter values demonstrate that an emission limitation or standard contained in the permit has not been met;
- (3) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit; or,
- (4) A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only if the emission point is subject to CAM)

For reporting purposes, the Division has combined the Monitoring Deviation Report with the Permit Deviation Report. All deviations shall be reported using the following codes:

1 = Standard: When the requirement is an emission limit or standard 2 = Process: When the requirement is a production/process limit

3 = Monitor: When the requirement is monitoring
 4 = Test: When the requirement is testing

5 = Maintenance: When required maintenance is not performed
 6 = Record: When the requirement is recordkeeping
 7 = Report: When the requirement is reporting

8 = CAM: A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the

Compliance Assurance Monitoring (CAM) Rule) has occurred.

9 = Other: When the deviation is not covered by any of the above categories

Report #3: Compliance Certification (annually, as defined in the permit)

Submission of compliance certifications with terms and conditions in the permit, including emission limitations, standards, or work practices, is required not less than annually.

Compliance Certifications are intended to state the compliance status of each requirement of the permit over the certification period. They must be based, at a minimum, on the testing and monitoring methods specified in the permit that were conducted during the relevant time period. In addition, if the owner or operator knows of other material information (i.e. information beyond required monitoring that has been specifically assessed in relation

to how the information potentially affects compliance status), that information must be identified and addressed in the compliance certification. The compliance certification must include the following:

- The identification of each term or condition of the permit that is the basis of the certification;
- Whether or not the method(s) used by the owner or operator for determining the compliance status with each permit term and condition during the certification period was the method(s) specified in the permit. Such methods and other means shall include, at a minimum, the methods and means required in the permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Clean Air Act, which prohibits knowingly making a false certification or omitting material information;
- The status of compliance with the terms and conditions of the permit, and whether compliance was continuous or intermittent. The certification shall identify each deviation and take it into account in the compliance certification. Note that not all deviations are considered violations.
- Such other facts as the Division may require, consistent with the applicable requirements to which the source is subject, to determine the compliance status of the source.

The Certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only for emission points subject to CAM)

Note the requirement that the certification shall identify each deviation and take it into account in the compliance certification. Previously submitted deviation reports, including the deviation report submitted at the time of the annual certification, may be referenced in the compliance certification.

¹ For example, given the various emissions limitations and monitoring requirements to which a source may be subject, a deviation from one requirement may not be a deviation under another requirement which recognizes an exception and/or special circumstances relating to that same event.

Startup, Shutdown, Malfunctions and Emergencies,

Understanding the application of Startup, Shutdown, Malfunctions and Emergency Provisions, is very important in both the deviation reports and the annual compliance certifications.

Startup, Shutdown, and Malfunctions

Please note that exceedances of some New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) standards that occur during Startup, Shutdown or Malfunctions may not be considered to be non-compliance since emission limits or standards often do not apply unless specifically stated in the NSPS. Such exceedances must, however, be reported as excess emissions per the NSPS/MACT rules and would still be noted in the deviation report. In regard to compliance certifications, the permittee should be confident of the information related to those deviations when making compliance determinations since they are subject to Division review. The concepts of Startup, Shutdown and Malfunctions also exist for Best Available Control Technology (BACT) sources, but are not applied in the same fashion as for NSPS and MACT sources.

Emergency Provisions

Under the Emergency provisions of Part 70 certain operational conditions may act as an affirmative defense against enforcement action if they are properly reported.

DEFINITIONS

Malfunction (NSPS) means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Malfunction (SIP) means any sudden and unavoidable failure of air pollution control equipment or process equipment or unintended failure of a process to operate in a normal or usual manner. Failures that are primarily caused by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

Emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

APPENDIX B: Monitoring and Permit Deviation Report - Part I

- 1. Following is the **required** format for the Monitoring and Permit Deviation report to be submitted to the Division as set forth in General Condition 21. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.
- 2. Part II of this Appendix B shows the format and information the Division will require for describing periods of monitoring and permit deviations, or malfunction or emergency conditions as indicated in the Table below. One Part II Form must be completed for each Deviation. Previously submitted reports (e.g. EER's or malfunctions) may be referenced and the form need not be filled out in its entirety.

FACILITY NAME: Trailblazer Pipeline	e Company –Compressor Station 601
OPERATING PERMIT NO: 03OPLO2	55
REPORTING PERIOD:	(see first page of the permit for specific reporting period and dates)

Operating Permit		Deviat noted D Perio	uring	Deviation Code ²	Malfur /Emerg Cond Reported Perio	gency ition During
Unit ID	Unit Description	YES	NO		YES	NO
S001A	Solar Model Mars 100-T15000S, Serial No. 0615M – Compressor Turbine No. 1					
S001B	Solar Model Mars 100-T15000S. Serial No. 1033M – Compressor Turbine No. 2					
S002	Cummins Model GTA-28 4-Cycle, Lean Burn, Natural Gas Fired Internal Combustion Engine, Site Rated at 770 HP, Serial No. 25273675					
General Conditions						
Insignificant Activities						

i)¹ See previous discussion regarding what is considered to be a deviation. Determination of whether or not a deviation has occurred shall be based on a reasonable inquiry using readily available information.

1 = Standard: When the requirement is an emission limit or standard 2 = Process: When the requirement is a production/process limit

3 = Monitor: When the requirement is monitoring

ii)² Use the following entries, as appropriate

4 = Test: When the requirement is testing

5 = Maintenance: When required maintenance is not performed
 6 = Record: When the requirement is recordkeeping
 7 = Report: When the requirement is reporting

8 = CAM: A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the

Compliance Assurance Monitoring (CAM) Rule) has occurred.

9 = Other: When the deviation is not covered by any of the above categories

APPENDIX B: Monitoring and Permit Deviation Report - Part II

FACILITY NAME: Trailblazer Pipeline Co OPERATING PERMIT NO: 03OPLO255 REPORTING PERIOD:	ompany –Compresso	or Station 601	
Is the deviation being claimed as an: (For NSPS/MACT) Did the deviation occur during:	Emergency Startup Normal Operation	Shutdown	N/A Malfunction
OPERATING PERMIT UNIT IDENTIFICATION:			
Operating Permit Condition Number Citation			
Explanation of Period of Deviation			
Duration (start/stop date & time)			
Action Taken to Correct the Problem			
Measures Taken to Prevent a Reoccurrence of the Pr	<u>oblem</u>		
Dates of Malfunctions/Emergencies Reported (if app	<u>plicable)</u>		
	Division Code QA:		
SEE EXAMPLI	E ON THE NEXT	PAGE	

EXAMPLE

FACILITY NAME: OPERATING PERMIT NO: REPORTING PERIOD:					
iii) Is the deviation being claimed	d as an:	Emergency	Malfunction	XX N	[/A
(For NSPS/MACT) Did the d	eviation occur during:	Startup Normal Operation	Shutdown		l
OPERATING PERMIT UNI	Γ IDENTIFICATION:				
Asphalt Plant with a Scrubber	r for Particulate Contro	l - Unit XXX			
iv) Operating Permit Condition N	Number Citation				
Section II, Condition 3.1 - Op	pacity Limitation				
Explanation of Period of Dev	<u>iation</u>				
vi) Slurry Line Feed Plugged					
vii)					
<u>Duration</u> viii)					
START- 1730 4/10/06					
END- 1800 4/10/06					
ix)					
Action Taken to Correct the I	<u>Problem</u>				
Line Blown Out					
^{x)} Measures Taken to Prevent R	eoccurrence of the Prol	blem			
Replaced Line Filter					
Dates of Malfunction/Emerge	encies Reported (if appl	<u>icable)</u>			
5/30/06 to A. Einstein, APCD)				
Deviation Code		Division Code QA:			

APPENDIX B: Monitoring and Permit Deviation Report - Part III

REPORT CERTIFICATION

SOURCE NAME: Trailblazer Pipe	line Company –Compressor Statio	on 601
FACILITY IDENTIFICATION NU	JMBER: 0750077	
PERMIT NUMBER: 03OPLO255		
REPORTING PERIOD:	(see first page of the peri	mit for specific reporting period and dates)
	o. 3, Part A, Section I.B.38. This si	be certified by a responsible official as gned certification document must be
STATEMENT OF COMPLETE	NESS	
	· ·	nd, based on information and belief information contained in this submittal
1-501(6), C.R.S., makes any false	material statement, representati	knowingly, as defined in Sub-Section 18- ion, or certification in this document is the provisions of Sub-Section 25-7
Printed or Typed Na	nme	Title
Signature of Re	esponsible Official	Date Signed
Note: Deviation reports shall be s permit. No copies need be sent to		ddress given in Appendix D of this

APPENDIX C - Required Format for Annual Compliance Certification Report

Following is the format for the Compliance Certification report to be submitted to the Division and the U.S. EPA annually based on the effective date of the permit. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.

FACILITY NAME: Trailblazer Pipeline Company –Compressor Station 601

OPERATING PERMIT NO: 03OPLO255

REPORTING PERIOD:

I. Facility Status

____ During the entire reporting period, this source was in compliance with **ALL** terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference. The method(s) used to determine compliance is/are the method(s) specified in the Permit.

With the possible exception of the deviations identified in the table below, this source was in compliance with all terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference, during the entire reporting period. The method used to determine compliance for each term and condition is the method specified in the Permit, unless otherwise indicated and described in the deviation report(s). Note that not all deviations are considered violations.

Operating Permit Unit ID	Unit Description	Deviations Reported ¹		Monit Met pe Perm	hod er	contin	mpliance uous or ittent? ³
		Previous	Current	YES	NO	Continuous	Intermittent
S001A	Solar Model Mars 100-T15000S, Serial No. 0615M – Compressor Turbine No. 1						
S001B	Solar Model Mars 100-T15000S, Serial No. 1033M – Compressor Turbine No. 2						
S002	Cummins Model GTA-28 4-Cycle, Lean Burn , Natural Gas Fired Internal Combustion Engine, Site Rated at 770 HP, Serial No. 25273675						

Operating Permit Number: 03OPLO255 Revised 9/15/11

Operating Permit Unit ID	Unit Description	Deviations Reported ¹		Monit Met pe Pern	hod	contin	mpliance uous or ittent? ³
		Previous	Current	YES	NO	Continuous	Intermittent
General Conditions		_	_				
Insignificant Activities ⁴							

¹ If deviations were noted in a previous deviation report, put an "X" under "previous". If deviations were noted in the current deviation report (i.e. for the last six months of the annual reporting period), put an "X" under "current". Mark both columns if both apply.

NOTE:

The Periodic Monitoring requirements of the Operating Permit program rule are intended to provide assurance that even in the absence of a continuous system of monitoring the Title V source can demonstrate whether it has operated in continuous compliance for the duration of the reporting period. Therefore, if a source 1) conducts all of the monitoring and recordkeeping required in its permit, even if such activities are done periodically and not continuously, and if 2) such monitoring and recordkeeping does not indicate non-compliance, and if 3) the Responsible Official is not aware of any credible evidence that indicates non-compliance, then the Responsible Official can certify that the emission point(s) in question were in continuous compliance during the applicable time period.

² Note whether the method(s) used to determine the compliance status with each term and condition was the method(s) specified in the permit. If it was not, mark "no" and attach additional information/explanation.

³ Note whether the compliance status with of each term and condition provided was continuous or intermittent. "Intermittent Compliance" can mean either that noncompliance has occurred or that the owner or operator has data sufficient to certify compliance only on an intermittent basis. Certification of intermittent compliance therefore does not necessarily mean that any noncompliance has occurred.

⁴ Compliance status for these sources shall be based on a reasonable inquiry using readily available information.

II.	Status for Accidental Release Prevention Program:						
	A.	This facility Release Prevention			· ·	ne provisions of the Aclean Air Act)	Accidental
	B.	If subject: The fac requirements of se		is	is not in	n compliance with al	l the
III.	Certif	1. A Risk Ma appropriate	nagement Plan e authority and/o	wor the designa	ll beted central lo	has been submitted cation by the require	I to the ed date.
Color	ado Reg		-			by a responsible officent of the document must be	
reaso	nable i		-			ion and belief forme ined in this certifica	
C.R.S	S., mak	es any false materia	al statement, re	epresentation	, or certifica	ingly, as defined in tion in this docume of § 25-7 122.1, C.R	nt is guilty of a
		Printed or Typed I	Name			Title	
		Signature				Date Signed	
NOT	F • All c	ompliance certificat	ions shall be su	hmitted to the	Air Pollutio	n Control Division a	nd to the

Environmental Protection Agency at the addresses listed in Appendix D of this Permit.

APPENDIX D - Notification Addresses

1. Air Pollution Control Division

Colorado Department of Public Health and Environment Air Pollution Control Division Operating Permits Unit APCD-SS-B1 4300 Cherry Creek Drive S. Denver, CO 80246-1530

ATTN: Jim King

2. United States Environmental Protection Agency

Compliance Notifications:

Office of Enforcement, Compliance and Environmental Justice Mail Code 8ENF-T U.S. Environmental Protection Agency, Region VIII 1595 Wynkoop Street Denver, CO 80202-1129

Permit Modifications, Off Permit Changes:

Office of Partnerships and Regulatory Assistance and Air and Radiation Programs, 8P-AR U.S. Environmental Protection Agency, Region VIII 1595 Wynkoop Street Denver, CO 80202-1129

APPENDIX E - Permit Acronyms

Listed Alphabetically:

AIRS -	Aerometric Information Retrieval System
AP-42-	EPA Document Compiling Air Pollutant Emission Factors
APEN -	Air Pollution Emission Notice (State of Colorado)
APCD -	Air Pollution Control Division (State of Colorado)
ASTM -	American Society for Testing and Materials
BACT -	Best Available Control Technology
BTU -	British Thermal Unit
CAA -	Clean Air Act (CAAA = Clean Air Act Amendments)
CCR -	Colorado Code of Regulations
CEM -	Continuous Emissions Monitor
CF -	Cubic Feet (SCF = Standard Cubic Feet)
CFR -	Code of Federal Regulations
CO -	Carbon Monoxide
COM -	Continuous Opacity Monitor
CRS -	Colorado Revised Statute
EF -	Emission Factor
EPA -	Environmental Protection Agency
FI -	Fuel Input Rate in Lbs/mmBtu
FR -	Federal Register
G -	Grams
Gal -	Gallon
GPM -	Gallons per Minute
HAPs -	Hazardous Air Pollutants
HP -	Horsepower
HP-HR -	Horsepower Hour ($G/HP-HR = Grams per Horsepower Hour$)
LAER -	Lowest Achievable Emission Rate
LBS -	Pounds
M -	Thousand
MM -	Million
MMscf -	Million Standard Cubic Feet
MMscfd -	Million Standard Cubic Feet per Day
N -	Normal Operation, as referenced in permit limitation table in Section II.1
N/A or NA -	Not Applicable
NO _X -	Nitrogen Oxides
NESHAP -	National Emission Standards for Hazardous Air Pollutants
NSPS -	New Source Performance Standards
P -	Process Weight Rate in Tons/Hr
PE -	Particulate Emissions
PM -	Particulate Matter
PM_{10} -	Particulate Matter Under 10 Microns

Parts Per Million

PPM -

PPMV -	Parts Per Million, by Volume
PPMVD -	Parts per Million, by Volume, Dry
PSD -	Prevention of Significant Deterioration
PTE -	Potential To Emit
RACT -	Reasonably Available Control Technology
SCC -	Source Classification Code
SCF -	Standard Cubic Feet
SD -	Shutdown, as referenced in permit limitation table in Section II.1
SIC -	Standard Industrial Classification
SO_2 -	Sulfur Dioxide
SU -	Start-Up, as referenced in permit limitation table in Section II.1

Tons Per Year TPY -Total Suspended Particulate TSP -

VOC -Volatile Organic Compounds

APPENDIX F - Permit Modifications

DATE OF REVISION	MODIFICATION TYPE	SECTION NUMBER, CONDITION NUMBER	DESCRIPTION OF REVISION
September 15, 2011	Minor	Section I Section II	Added S002 to the list of emission units Added Emission Unit S002 to the Specific Permit Terms